



DPW

DOCKET NO.: 4940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF THE APPLICATION FOR PATENT

OF: Hitoshi SUMIYA et al.

| ART UNIT: 3723

SERIAL NO.: 10/572,708

| CONF. NO.: 5352

FILED: March 17, 2006

| EXAMINER: D. V. NGUYEN

FOR: DIAMOND TOOL, SYNTHETIC SINGLE CRYSTAL DIAMOND AND METHOD
OF SYNTHESIZING SINGLE CRYSTAL DIAMOND, AND DIAMOND JEWELRY

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

December 20, 2007

INFORMATION DISCLOSURE STATEMENT WITH CERTIFICATE OF MAILING

Dear Sir:

- 1) Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98 applicants enclose a Third Form PTO-1449, a copy and an English abstract of reference AZ cited thereon, and a copy as well as an English translation of a Russian Office Action issued on October 29, 2007 in a counterpart Russian application.

- 2) This Information Disclosure Statement is being filed before the issuance of a Final Office Action or Notice of Allowance and includes a statement under 37 CFR 1.97(e) (see next paragraph). Thus, in accordance with 37 CFR 1.97(c)(1), no fee is due.

- 3) The undersigned attorney hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 4) Reference AZ is accompanied by an English abstract.
- 5) Moreover, the enclosed English translation of the Russian Office Action shows why the Russian Examiner found reference AZ to be relevant to the counterpart Russian patent application. The Russian Examiner's statements are not ratified as accurate or adopted by applicant, but they are submitted for the US Examiner's consideration as to the possible relevance of the reference. Note that reference AZ (RU 2 270 743) is the issued Russian Patent corresponding to published Russian Application 2002103554 that was actually cited by the Russian Examiner in the Russian Office Action. The additional reference (EP 0 647 590) cited in the Russian Office Action has already been submitted in our Information Disclosure Statement dated March 17, 2006.
- 6) The Examiner is requested to consider all references of record, return an initialed copy of the enclosed Form PTO-1449, and ensure that all references of record are printed on any patent issuing from this application.

- 7) A Response to the Office Action of November 8, 2007 will be filed in due course.

Respectfully submitted,
Hitoshi SUMIYA et al.
Applicant

WFF:ks/4940
Enclosures:
postcard,
Third Form PTO-1449,
1 reference,
1 English abstract,
copy and English translation
of Russian Office Action

By 
Walter F. Fasse
Patent Attorney
Reg. No.: 36132
Tel. No.: 207-862-4671
Fax. No.: 207-862-4681
P.O. Box 726
Hampden, ME 04444-0726

CERTIFICATE OF MAILING:

I hereby certify that this correspondence with all indicated enclosures is being deposited with the U. S. Postal Service with sufficient postage as first-class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Karin Smith - December 20, 2007
Name: Karin Smith - Date: December 20, 2007